

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

INDEPENDENT FINANCIAL GROUP,
LLC,

Plaintiff,

v.

QUEST TRUST COMPANY,
Defendant.

Case No.21-cv-00537-NC

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE
REMANDED**

Re: ECF 1

Defendant Quest Trust Company removed this case from Monterey County Superior Court on January 22, 2021. ECF 1. In its removal notice, Quest alleges that removal is proper based on diversity jurisdiction under 28 U.S.C. § 1332. ECF 1 at 2. However, in reaching this conclusion Quest incorrectly applied the corporation citizenship test to Plaintiff Independent Financial Group, a limited liability company. ECF 1 at 2, 7. LLCs are treated like partnerships for the purposes of diversity jurisdiction. *See Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). As such, Quest should have listed the citizenship of all of IFG's members and then evaluated diversity. *See* 15A Moore's Federal Practice - Civil § 102.57 (2020).

Accordingly, the Court ORDERS Quest to show cause in writing why this case should not be remanded by February 10, 2021. The Court also ORDERS all parties to consent or decline the jurisdiction of a magistrate judge by February 5, 2021. ECF 4.

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IT IS SO ORDERED.

Dated: January 27, 2021



NATHANAEL M. COUSINS
United States Magistrate Judge

United States District Court
Northern District of California